IAP3 Rec'd PSIAPTO 21\_DEC 2005

PTO-1390 (Rev. 07-2005) approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

### TRANSMITTAL LETTER TO THE UNITED STATES ATTORNEY'S DOCKET NUMBER 09894.0007-00

	C			RNING A SUBMISSION	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/537,494			
INTERNATIONAL APPLICATION NO. PCT/CH2003/000807					INTERNATIONAL FILING DATE December 8, 2003	PRIORITY DATE CLAIMED December 6, 2002		
	LE O							
				OR DO/EO/US omas PRESCHER, and Rena	ato SCARINZI			
App	olican	t(s) h	erew	ith submits to the United Stat	es Designated/Elected Office (DO/EO/US)	the following items and other information:		
1.		This	s is a	FIRST submission of items of	concerning a filing under 35 U.S.C 371.			
2.	$\boxtimes$	This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.						
3.		This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.  The US has been elected (Article 31).						
4.		The	US	has been elected (Article 31).				
5.		A co	ору с	of the International Application	n as filed (35 U.S.C. 371 (c)(2)).	2.2 ==		
		a.		is attached hereto (required	only if not communicated by the Internation	onal Bureau).		
		b.		has been communicated by	the International Bureau.			
		c.		is not required, as the appli	cation was filed with the United States Rec	Legal Staff C. 374(c)(2))		
6.		An i	Engli	sh language translation of the	e International Application as filed (35 U.S.	C. 371(c)(2)).		
		a.		is attached hereto.		RECEIVED		
		b.		has been previously submit	ted under 35 U.S.C. 154(d)(4).			
7.		Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)). $\frac{2}{2}$						
		a.	<b>70</b>					
		b.						
		c.		have not been made; howe	ver, the time limit for making such amendn			
		d.		have not been made and w	ill not be made.			
8.		An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).						
9.	$\boxtimes$	An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).						
10.		An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).						
Iten	ns 11	to 2	0 bel	ow concern document(s) o	r information included:			
11.		Information Disclosure Statement under 37 CFR 1.97 and 1.98						
12.		An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.						
13.		A preliminary amendment.						
14.		An Application Data Sheet under 37 CFR 1.76.						
15.		A Substitute specification.						
16.		A power of attorney and/or change of address letter.						
17.		A co	ompu	ter-readable form of the sequ	uence listing in accordance with PCT Rule	13ter.2 and 35 U.S.C. 1.821-1.825.		
18.		A second copy of the published International Application under 35 U.S.C. 154 (d)(4).						
10	П	A second copy of the English language translation of the international application 35 U.S.C. 154 (d)(4)						

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce. P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop PCT**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313,1450.

PTO-1390 (Rev. 07-2005) pproved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. U.S. APPLICATION NO. (If known, see 37CFR 1.5) INTERNATIONAL APPLICATION NO. ATTORNEY'S DOCKET NUMBER PCT/CH2003/000807 10/537,494 09894.0007-00 20. Other items or information: - Response to Notification of Missing Requirements (2 pages) - Copy of Notification of Missing Requirements (2 pages) Statement Under 37 C.F.R. § 1.48(a)(2) of Thomas Prescher (1 page); - Statement Under 37 C.F.R. § 1.48(a)(2) of Renato Scarinzi (1 page); Submission Under 37 C.F.R. § 373(B) (1 page) - Request for Change of Correspondence Address (1 page) CALCULATIONS The following fees have been submitted: PTO Use Only \$ 21. BASIC NATIONAL FEE (37 CFR 1.492(a)):......\$300.00 Examination fee (37CFR 1.492(c)) If the Written opinion prepared by ISA/US or the International preliminary examination report prepared \$ by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ........... \$0 All other situations \$200 Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)......\$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .......\$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB......\$400 All other situations ......\$500 TOTAL of 21, 22 and 23 = \$ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. Number of each additional 50 or fraction **Total Sheets** Extra Sheets Rate thereof (round up to a whole number) - 100 =0 x \$250.00 /50= 0 Processing Fee According to 37 C.F.R. § 1.497(d)(2) \$130.00 **NUMBER EXTRA RATE CLAIMS** NUMBER FILED **Total Claims** - 20 = x \$50.00 \$ 1 x \$200.00 \$ Independent Claims -3 = 0 MULTIPLE DEPENDENT CLAIM(S) (if applicable) +\$360.00 \$ **TOTAL OF ABOVE CALCULATIONS =** \$130.00 Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½. \$65.00 SUBTOTAL = \$65.00

**TOTAL NATIONAL FEE =** 

\$



date (37 CFR 1.492(i)).

01 F

Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest priority

Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an

appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.

PTO-1390 (Rev. 07-2005)
Approved for use through 3/31/2007. OMB 0651-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

a.   A check in the amount of \$ 65.00 to cover the above fees is enclosed.									
b.  Please charge my Deposit Account No in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.									
c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No06-0916 A duplicate copy of this sheet is enclosed.									
d.   Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.									
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.									
SEND ALL CORRESPONDENCE TO: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, LLP CUSTOMER ORDER NO. 22,852									
Dated: December 21, 2005  Tea No. 36, 532  SIGNATURE									
for									
Leila R. Abdi NAME									
52,399									
REGISTRATION NUMBER									
·									

#4

PATENT Customer No. 22,852 Attorney Docket No. 09894.0007-00

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	
Michael VOGT et al.	) Group Art Unit: Unassigned
Application No.: 10/537,494	) Examiner: Unassigned
Filed: June 3, 2005	) Confirmation No.: 4642
For: WORLD TIMEPIECE	) )
Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	
Sir:	

# SUBMISSION UNDER 37 C.F.R. § 1.497(d)

In response to the Notification dated October 24, 2005, and pursuant to 37 C.F.R. § 1.497(d), Applicants submit the following items in view of the present application naming an inventive entity different from that set forth in the related PCT International Application (PCT/CH03/00807):

- 1. Statements from Thomas Prescher and Renato Scarinzi, who are being added as inventors to the present application to 37 C.F.R. § 1.497(d)(1);
- 2. A check in the amount of \$65.00, which represents the required processing fee according to 37 C.F.R. § 1.497(d)(2);
- 3. The written consent of the Assignee under 37 C.F.R. § 3.73 (B) according to 37 C.F.R. § 1.497(d)(3);
- 4. A new executed Declaration/Power of Attorney with all three inventors listed for filing in this application according to 371C, FIF 365 16 10537494 1.497(d)(4); and Sale Ref: 10000000 10537494 65.60 0P

Application No.: 10/537,494 Attorney Docket No. 09894.0007-00

5. A copy of the Notification of Missing Requirements dated October 24, 2005.

Please associate the enclosed declaration with the application, grant any extensions of time required to enter this response, and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,

GARRETT & DUNNER, L.L.P.

Dated: December 21, 2005

By: Leg. No. 34,532

Leila R. Abdi Reg. No. 52,399



#### United States Patent and Trademark Office

Um

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.napto.gov

U.S. APPLICATION NUMBER NO. FIRST NAMED APPLICANT ATTY. DOCKET NO. 10/537,494 Michael Vogt Q88279

INTERNATIONAL APPLICATION NO.

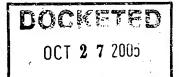
PCT/CH03/00807

1.A. FILING DATE PRIORITY DATE

12/08/2003

12/06/2002

23373 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037



CONFIRMATION NO. 4642
371 FORMALITIES LETTER
\*OC000000017316416\*

Date Mailed: 10/24/2005

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/03/2005
- English Translation of the IA filed on 06/03/2005
- Copy of the International Search Report filed on 06/03/2005
- Oath or Declaration filed on 06/03/2005
- Request for Immediate Examination filed on 06/03/2005 .
- U.S. Basic National Fees filed on 06/03/2005
- Assignment filed on 06/03/2005
- Priority Documents filed on 06/03/2005
- Specification filed on 06/03/2005
- Claims filed on 06/03/2005
- Abstracts filed on 06/03/2005
- Drawings filed on 06/03/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
  - 1 need to know where did inventor #2 & 3 come fron, there is only one inventor listed on publish application.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION,

#### -WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

**VONDA M WALLACE** 

Telephone: (703) 308-9140 EXT 225

#### PART 1 - ATTORNEY/APPLICANT COPY

Г	U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
	10/537,494	PCT/CH03/00807	Q88279

FORM PCT/DO/EO/905 (371 Formalities Notice)